

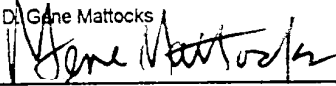
STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
MANUAL CHANGE TRANSMITTAL
RW 0001 (REV. 10/93)

☒ RW MANUAL CHANGE
(1993 Edition)

RWMC-24

☐ PROCEDURAL HANDBOOK
(1984 Edition)

RWPH-_____
TRANSMITTAL#_____

TITLE Utility/Relocation	APPROVED BY D. Gene Mattocks 	DATE ISSUED October 13, 1995 PAGE 1 OF 1
SUBJECT AREA Chapter 13 Utility/Relocation	ISSUING UNIT Utility Relocation Branch	

SUMMARY OF CHANGES

Revision of Forms RW 13-3, RW 13-5 and RW 13-6

PURPOSE

Revision of forms: RW 13-3, Report of Investigation and Instructions
RW 13-5, Utility Agreement and Instructions
RW 13-6, Utility Coding and Payment Request

BACKGROUND

The new Report of Investigation form is designed to provide better documentation and improve the exchange of information between the originator and the reviewer. The Utility Agreement and Coding forms have been updated to provide information needed by Accounting.

PROCEDURES

No substantive changes to existing procedures.

EFFECTIVE DATE

Effective immediately.

MANUAL IMPACT

- Insert the attached pages in the Manual.
- Record the action on the Revision Record.

REVISION SUMMARY

Chapter	Remove Old Pages	Insert New/Revised Pages	Replace Interim Change No.
13	Form Table of Content RW 13-3 (4/93)	Form Table of Content, (Rev. 8/95) RW 13-3 (Rev. 10/95)	N/A
	RW 13-3 Instructions	RW 13-3 (Rev. 10/95) Instructions	
	RW 13-5 (4/93)	RW 13-5 (Rev. 10/95)	
	RW 13-5 Instructions	RW 13-5 (Rev. 10/95) Instructions	
	RW 13-6 (4/93)	RW 13-6 (Rev. 10/95)	

CHAPTER 13

Utility Relocation

Table of Contents FORMS

<u>Form No.</u>	<u>Title</u>
RW 13-1	Joint Use Agreement (JUA)
RW 13-2	Consent to Common Use Agreement (CCUA)
RW 13-3	Report of Investigation
RW 13-4	Notice to Owner
RW 13-5	Utility Agreement
RW 13-6	Utility Coding and Payment Request
RW 13-7	Checklist for Final Utility Invoice
RW 13-8	JUA--Southern California Edison Company
RW 13-9	CCUA--South California Edison Company
RW 13-10	Bureau of Reclamation JUA (Central Valley Project)
RW 13-11	Bureau of Reclamation JUA (State-Owned Land)
RW 13-12	Bureau of Reclamation JUA (Bureau-Owned Land)
RW 13-13	Department of Water Resources Certificate of Common Use (Water Resources-Owned Land)
RW 13-14	Department of Water Resources Certificate of Common Use (State-Owned Land)
RW 13-15	FHWA Specific Authorization

Dist	Co	Rte	KP (P.M.)	EA
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Ut No.: _____
Fed. Aid No.: _____
Ut Owner: _____
Ut Facility: _____

1. PROJECT LOCATION AND DESCRIPTION:

2. LIABILITY DATA:

A. PROJECT IS A:

Freeway	[]
Conventional Highway	[]
Other	[]

B. DATES:

Route adoption: _____

Freeway resolution: _____

Appraisal map: _____

Installation of
Existing facilities: _____

C. UTILITY OWNER IS:

Public	[]
Private	[]

D. EXISTING UTILITY FACILITY IS LOCATED:

	Yes	No
1) In existing State Highway right of way?	[]	[]
2) On other public way, i.e., city street?	[]	[]
3) On private property?	[]	[]
4) Intersecting installation?	[]	[]
5) Longitudinal installation?	[]	[]

E. UTILITY OWNER'S AUTHORITY FOR INSTALLATION:

- | | |
|----------------------------|-----|
| 1) Fee-owned land | [] |
| 2) Recorded easement | [] |
| 3) Unrecorded easement | [] |
| 4) Prescriptive right | [] |
| 5) JUA or CCUA | [] |
| 6) Franchise | [] |
| 7) State permit | [] |
| 8) County permit | [] |
| 9) City permit | [] |
| 10) Joint Pole Agreement* | [] |
| 11) Other (describe below) | [] |

*NOTE: A joint pole agreement generally conveys rights equivalent to those enjoyed by the owner of the pole. The owners rights should also be indicated and documented.

- Yes No
F. [] [] Are there contractual obligations contained in the documents checked in item E. above that require the owner to relocate, or are there special conditions in the owner's authority for installation?
If YES, explain:

- Yes No
G. [] [] Is the owner's authority for installation based on a deed (item E.1), 2), 3) or 5) above)?

If YES, the preparer of this Report of Investigation asserts that to the best of their ability:

- [] [] The deed has been read.
- [] [] The description has been accurately plotted and is clearly shown on the attached plan.
- [] [] The title has been investigated and that:
- [] [] The grantor was the owner as of the date on the deed.
- [] [] The owner's facilities are located within the area described in the deed.
- [] [] The public agency has prior rights to the area described in the deed or recorded map to which the State will be the successor in interest.
If YES, show the date the public acquired their rights and explain the nature of those rights in the narrative.

H. ABILITY RECOMMENDATION IS BASED ON (check all that apply):

☐ Section _____ of the Streets and Highway Code

☐ Section _____ of the Master Contract, dated _____

☐ Water Code Section 7034

☐ Water Code Section 7035

☐ Prior and superior rights of the Utility Owner

☐ Other _____

I. LIABILITY PORTIONMENT:

State _____% Utility Owner _____% Explain apportionments:

3. RELOCATION PLAN DETAILS:

A. IT IS ANTICIPATED THE UTILITY WORK WILL BE COMPLETED BY:

_____ (date).

B. ENCROACHMENTS:

☐ There will be no encroachments within the project area.

☐ There encroachments and:

Yes No

☐ ☐ All new or existing encroachments comply with current Caltrans Policy.

☐ If NO, a copy of the letter approving the exception to the encroachment policy is attached.

☐ ☐ The State's standard Encroachment Permit will be or has been issued. If NO, explain in narrative.

C. LUMP SUM:

Yes No

☐ ☐ The lump sum payment method will be used.

☐ If YES, a detailed and itemized estimate is attached.

D. THIS RELOCATION WILL BE FUNDED WITH:

Yes No

☐ ☐ State Funds Only.

☐ ☐ Federal participation in the funding and it is our determination that State payment standards are more restrictive.

☐ ☐ Local Public Agency Funds.

4. THE WORK WILL BE PERFORMED BY: (check those which apply)

- ☐ The utility owner's forces: The District has determined this is cost-effective and has verified the owner is qualified to perform the work in a satisfactory manner with its own personnel equipment.
- ☐ The utility owner's continuing contractor: The District has determined this is cost-effective and verified the contract between the owner and the contractor is in writing and that similar work is regularly performed for the owner under the contract at reasonable costs.
- ☐ Competitive bid contract: The owner is not adequately staffed or equipped to perform the work with its own forces. The District will verify that the utility owner will award the contract for the work to the lowest qualified responsible bidder based on an appropriate solicitation.
- ☐ State's highway contractor. The utility work is to be included in State's highway construction contract. The district has determined this is the most cost-effective method.

5. REVIEW OF ESTIMATE:

Depreciation: \$ _____ ☐ None * *If none, state why below.

Salvage: \$ _____ ☐ None *

6. BETTERMENT:

- ☐ There is no betterment.
- ☐ Betterment in the amount of \$ _____ has been identified for:

7. CERTIFICATION:

Yes No

- ☐ ☐ The project engineer has certified that the relocation plan will clear the project.
- ☐ ☐ The District Utility Coordinator has reviewed the proposed relocation and has determined it is a cost-effective plan to functionally restore the utility owner's operating facilities that existed prior to the State's highway project.
-

8. ATTACH A NARRATIVE DISCUSSION OF THE PROPOSED UTILITY WORK TO THIS REPORT WHICH INCLUDES:

- A. Description of existing utility facility and its location.
- B. Discussion of owner's authority for installation of the existing utility facility.
- C. Description and justification of proposed relocation plan.
- D. Property rights needed.
- E. Any non-standard aspects of the relocation, documents, etc.

9. THE ESTIMATED COST TO THE STATE IS AS FOLLOWS:

Consisting of Design funds: \$ _____ .00

Consisting of Construction funds: \$ _____ .00

Consisting of Right of Way funds: \$ _____ .00

Total: \$ _____ .00

Prepared By: _____

Utility Coordinator

Date: _____

Approval

Recommended By: _____

District Utility Coordinator

Date: _____

Approved By: _____

Delegated District Representative

Date: _____

or

Approved By: _____

Utility Reviewer, RW&AM

Date: _____

INSTRUCTIONS FOR PREPARING THE
REPORT OF INVESTIGATION

FILE REFERENCE:

Show the district, county, route, kilopost (KP), expenditure authorization (EA), utility file number as shown in the RUMS computer system, Federal aid number if there is Federal aid for the utility work (if there is no Federal aid, then show N/A), utility owner's name as shown in the RUMS computer system, and the type of utility facility involved.

1. THE PROJECT LOCATION AND DESCRIPTION:

Show the work description and the location of the State's construction project as it appears in the PYPSCAN computer system or the STATUS OF PROJECTS.

2. LIABILITY DATA:

A. Check the selection for freeway if the highway is designated as part of the freeway and expressway system and is currently access controlled or proposed for control. Check conventional highway if there is no access control. Check other for any other project and explain in the narrative.

B. Show the date the route was adopted by the CTC or its predecessor.

Show the CTC resolution date for all access controlled projects.

Show the date the first appraisal map was prepared for property to be acquired by the State for this project.

Show the dates the facilities were installed. If there is more data than can be conveniently entered here, enter "See Narrative" and include the installation dates in the narrative.

C. Check whether the utility owner is either a public or private entity.

D. Check either yes or no for each line.

E. Check each space that applies. If clarification is needed, explain in the space provided or in the narrative.

F. Check either yes or no. If yes, and more space is needed, explain in the narrative.

G. Check either yes or no for each item.

H. Check and complete all that apply.

I. Show the percentage of liability the Utility Coordinator is recommending. Explain how you arrived at prorated liabilities, if applicable, and explain any other liability determinations. If the space provided is insufficient, include the required explanation in the narrative.

3. RELOCATION PLAN DETAILS:

- A. Enter the estimated date that the proposed relocation work will be completed.
- B. Select the appropriate statement, and if needed, check either yes or no for each subsequent item. Please note that under some circumstances additional explanation and documentation will be required as noted on the form.
- C. Check either yes or no. If yes is checked, provide the additional documentation noted on the form.
- D. Check either yes or no for each item.

4. THE WORK WILL BE PERFORMED BY:

Check all that apply.

5. REVIEW AND ESTIMATE:

Enter estimated amounts to be credited to the State for depreciation and salvage. If there will be none, check the appropriate box and provide a short explanation in the space provided.

6. BETTERMENT:

Check the appropriate box. If there will be betterment, enter the estimated cost and describe the nature of the betterment.

7. CERTIFICATION:

Check either yes or no for each statement.

8. NARRATIVE:

A narrative discussion of the relocation is a required part of the Report of Investigation. It should cover thoroughly all aspects of the utility conflict, liability, construction and proposed relocation. The narrative should explain in detail how the utility coordinator arrived at the conclusions and recommendations contained in the report.

It should include a description of the existing and proposed facilities, whether or not facilities will be installed in coordination with the State's construction and a discussion of any property rights (easements, JUA, CCUA, etc.) that may be needed.

9. THE ESTIMATED COST TO THE STATE IS AS FOLLOWS:

Fill in the estimated dollar amounts, as shown on the utility agreement, the State is liable for.

THE SIGNATURE BLOCK:

The Utility Coordinator, District Utility Coordinator, and the authorized delegated representative in the District for those Districts with delegation or the RW&AM Utility Reviewer for non-delegated Districts must sign the Report Of Investigation prior to issuing the applicable Notice To Owner.

INSTRUCTIONS FOR PREPARING THE
UTILITY AGREEMENT

1. THE "UTILITY AGREEMENT NO. _____":

The UTILITY AGREEMENT NO. _____ is basically the same number as assigned to the corresponding Notice To Owner. The only difference is the State Controller's requirement that the two-digit District number, a dash, the prefix UT and a dash precede the Utility Agreement number, e.g.

UTILITY AGREEMENT NO. 01-UT-12345

The number assigned must never be duplicated on another Utility Agreement.

2. THE "DATE":

The DATE is typically filled in by the utility owner when they execute the Agreement. If after the owner executes the Agreement and the date is missing, the Utility Coordinator should enter the date the Agreement was transmitted back to the State.

3. THE REFERENCE BLOCK:

- A. The "District" for which the project is being built;
- B. The "County" in which the project is being built;
- C. The "Route" on which the project is being built;
- D. "Post" will be the kilopost or post mile limits of the project;
- E. The "E.A." (expenditure authorization) of the project (usually the design phase E.A. of the project);
- F. The "Federal Aid No.", taken from the FNM-76, for the Right Of Way Utilities portion of the project. If there is no Federal Aid, then N/A should be inserted.
- G. The "Owner's File" number should be shown (usually the owner's plan number).
- H. "Federal Participation" Check the yes or no answers that apply.

4. THE OPENING PARAGRAPH:

The opening paragraph of the Utility Agreement is simply to:

- A. Give a short description of the work to be done and the project limits where the work is to take place for the State's proposed project;
 - B. Who the owner is;
 - C. What facilities the owner has that are affected by the Utility Agreement; and
 - D. What needs to be done to the owner's facilities in order to accommodate the State's project.
-

5. STANDARD CLAUSES:

See Section 13.08.03.00 of the Manual.

6. THE ESTIMATED COST:

The estimated cost to the State for its share of the work (on the back page) is normally taken from the owner's estimate as supplied by them.

Occasionally the State performs work for the owner, even though the owner is liable for the costs. The estimated cost to the "State" can be reworded to the estimated cost to the "Owner" when necessary.

7. FUND TYPE BLOCK:

There are basically only three EA's that can be charged to on Utility Agreements. They are:

A. Design Funds EA _____ \$ _____:

The design funds EA (phase "1") is used primarily for potholing utility facilities when the project engineer needs to know where facilities are for design purposes. Phase "1" funds are paid for by Project Development.

B. Construction Funds EA _____ \$ _____:

The construction funds EA (phase "4") is used primarily for work being performed by the State's highway contractor and paid by Construction.

C. R/W Funds EA _____ \$ _____:

The Right Of Way capital funds EA (phase "9") is used primarily for relocation, removal, abandonment, etc., of the owner's facilities for work performed by them or their contractor. Environmental clearance and project report approval shall be obtained prior to encumbering any phase "9" funds.

8. THE SIGNATURE BLOCK:

The signature block is to be filled out and signed by the appropriate authorized and/or delegated persons. It is the District Utility Coordinator's responsibility to know what duties have been delegated.

9. THE CERTIFICATION OF FUNDS BLOCK:

Accounting fills out the certification of funds block, certifying that funds are available for expenditure.

10. NONSTANDARD CLAUSES:

In the preparation of Utility Agreements it may be necessary to prepare clauses other than the standard clauses listed. Prior approval from the RW&AM shall be obtained any time a nonstandard clause is used.

Dist	Co	Rte	KP (P.M.)	EA
Federal Aid No.:				
Owners File:				
FEDERAL PARTICIPATION: On the Project <input type="checkbox"/> Yes <input type="checkbox"/> No On the Utilities <input type="checkbox"/> Yes <input type="checkbox"/> No				

UTILITY AGREEMENT NO. _____ **DATE** _____

The State of California acting by and through the Department of Transportation, hereinafter called "STATE" proposes to

_____ and

hereinafter called "OWNER", owns and maintains

within the limits of STATE'S project which requires

_____ to
accommodate STATE's project.

It is hereby mutually agreed that:

I. WORK TO BE DONE

UTILITY AGREEMENT NO.

UTILITY AGREEMENT NO.

THE ESTIMATED COST TO STATE FOR ITS SHARE OF THE ABOVE DESCRIBED WORK IS \$ _____.

CERTIFICATION OF FUNDS				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.				
HQ Accounting Officer				Date
ITEM	CHAP	STAT	FY	AMOUNT

FUND TYPE	EA	AMOUNT
Design Funds		\$
Construction Funds		\$
RW Funds		\$

IN WITNESS WHEREOF, the above parties have executed this Agreement the day and year above written.

STATE:

OWNER:

By _____
District Division Chief, Right of Way Date

By _____
Name/Title Date

APPROVAL RECOMMENDED:

By _____
District Office Chief, Right of Way Date

By _____
Utility Coordinator Date

DO NOT WRITE BELOW - FOR ACCOUNTING PURPOSES ONLY

PLANNING AND MANAGEMENT COMPLETES EXCEPT SHADED COLUMNS:

UTILITY COMPLETES:

T CODE	DOCUMENT NUMBER	SUP FIX	DIST	UNIT	CHG DIST	EA	SUB JOB	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT

EA FUNDING VERIFIED:

Sign:>

Print>

R/W Planning and Mangement Date

REVIEW/REQUEST FUNDING:

Sign>

Print>

Utility Coordinator Date

Distribution: 3 originals to R/W Program Accounting & Analysis
3 originals returned to R/W Planning & Management

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
UTILITY CODING AND PAYMENT REQUEST
RW 13-6 (Rev. 10/95)

TO: 1) RW PLANNING AND MANAGEMENT
2) ASC-RW PROGRAM ACCOUNTING
AND ANALYSIS

FROM: RIGHT OF WAY UTILITIES

FEDERAL PROJECT NO.:
FNM-76 APPROVAL DATE:
UTILITY AGREEMENT NO.:
AGREEMENT APPROVAL DATE:
UTILITY OWNER:

Attached is an invoice from the utility owner to be paid. Please process for payment.

RIGHT OF WAY PLANNING AND MANAGEMENT TO COMPLETE UNSHADED FIELDS BELOW THIS POINT:

UTILITY COMPLETES:

T CODE	DOCUMENT NUMBER	SUF FDX	DIST	UNIT	CHG DIST	EA	SUB JOB	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT

ACCOUNTING NOTE: ALL DATA TO BE ENTERED EXACTLY AS SHOWN. VERIFY CODING PRIOR TO ENTRY INTO TRAMS. IF ANY CHANGE IS NECESSARY, CONTACT RW PLANNING AND MANAGEMENT WHO WILL FAX REVISED COPY TO ACCOUNTING.

PAYMENT FOR:

INVOICE NO:

DATED

(INVOICE ATTACHED)

☐ PARTIAL PAYMENT

☐ REQUIRED SUPPLEMENT VIA
AN AMENDED CONTRACT:

DOC. NO.

FFY

☐ FINAL PAYMENT

☐ PAYMENT FALLS WITHIN 25% SUPPLEMENT

\$

MAIL CHECK/WARRANT TO:

BY:

DATE

PREPARED BY:

SIGNED>

PHONE:

PRINT>

DATE

UTILITY COORDINATOR

REVIEWED BY:

SIGNED>

PHONE

PRINT>

DATE

UTILITY COORDINATOR

APPROVED:

SIGNED>

PHONE:

PRINT>

DATE:

RW PLANNING AND MANAGEMENT

DISTRIBUTION: ORIGINAL TO ACCOUNTS PAYABLE